

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DRM, INC.,

Plaintiff,

v.

BLM LAND, LLC,

Defendant.

JUDGMENT IN A CIVIL CASE

Case No. 14-cv-754-wmc

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This action came for consideration before a court and a jury with District Judge William M. Conley presiding. Partial judgment was granted by the court on DRM, Inc.'s motion to dismiss BLM Land, LLC's counterclaims. The issues have been tried and the jury has rendered its verdict.

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IT IS ORDERED AND ADJUDGED that judgment is entered in favor of plaintiff DRM, Inc. against defendant BLM Land, LLC on BLM Land, LLC's first (breach of contract), second (declaratory judgment) and third (tortious interference) counterclaims. BLM Land LLC's fourth counterclaim (tortious interference) was voluntarily dismissed with prejudice by BLM Land, LLC on May 14, 2015, after Phase I of trial.

IT IS FURTHER ORDERED AND ADJUDGED that judgment is entered in favor of defendant BLM Land, LLC against plaintiff DRM, Inc. on DRM's first (declaratory relief), second (breach of contract), third (breach of covenant of good faith and fair dealing), fourth (reformation), and fifth (injunctive relief) claims, and on BLM Land's fifth (declaratory judgment) and sixth (reformation or rescission) counterclaims.

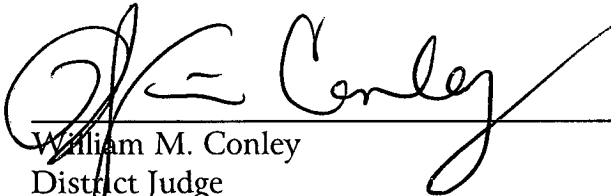
IT IS FURTHER ORDERED AND ADJUDGED that the use restriction in the Lease and Declaration of Restrictive Use is reformed as of the date of signing to prohibit:

any concept that prepares and serves hot or cold sliced or chopped meats or deli-style or sub-style sandwiches including, but not limited to Subway, Panera Bread, Jimmy John's, Quiznos, Jason's Deli, and Paradise Bakery.

IT IS FURTHER ORDERED AND ADJUDGED that the use restriction in the Lease and Declaration of Restrictive Use was modified by subsequent conduct to prohibit:

any concept that prepares and serves hot or cold sliced or chopped meats in deli-style or sub-style sandwiches including, but not limited to Subway, Panera Bread, Jimmy John's, Quiznos, Jason's Deli, and Paradise Bakery.

Approved as to form this 3rd day of June, 2015.

  
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William M. Conley  
District Judge

  
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Peter Oppeneer  
Clerk of Court

6/4/15  
Date